

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK**

DERRICK PALMER, KENDIA
MESIDOR, BENITA ROUSE,
ALEXANDER ROUSE, BARBARA
CHANDLER, LUIS
PELLOT-CHANDLER, and DEASAHNI
BERNARD

Plaintiffs

v.

AMAZON.COM, INC. and
AMAZON.COM SERVICES LLC,

Defendants.

DECLARATION OF DERRICK PALMER

I, Derrick Palmer, hereby declare as follows:

1. I have continued to work for Amazon.com Services LLC (“Amazon”) in the JFK8 warehouse facility in Staten Island, New York (“JFK8”) about 40 hours per week since I and the other named plaintiffs filed our lawsuit against Amazon on June 3, 2020.
2. On September 17, 2020, my direct supervisor Adebodun Aina approached me at my workstation and told me that Amazon planned to lift the temporary suspension of rate, Time Off Task (“TOT”), and productivity feedback sometime in October 2020.
3. On September 18, 2020, I received a “Vacation Freeze Dates” message in the Amazon A to Z app. The message said that Amazon was preparing for a “busy fall” and would no longer approve vacation requests for dates between October 13 and October 20, 2020.

4. Also on September 18, 2020, I received a “COVID-19 Updates for JFK8” message in the Amazon A to Z app. The message said that a JFK8 worker who was last in the building on September 15, 2020 had tested positive for COVID-19.

5. On or around September 23, 2020, Amazon moved me from the Pick, Count, Floor Help (PCF) department to the Outbound Pack department. As a Warehouse Associate in the Outbound Pack department I am subject to rate and TOT productivity standards when I am working in a “direct” role packing products.

6. On September 24, 2020, I received a “Prime Day is coming soon” message in the Amazon A to Z app. The message confirmed that this year’s online Amazon sale, Prime Day, would be taking place on October 13 and October 14, 2020.

7. Also on September 24, 2020, I received another “COVID-19 Updates for JFK8” message in the Amazon A to Z app. The message said that a JFK8 worker who was last in the building on September 16, 2020 had tested positive for COVID-19.

8. On October 1, 2020, a colleague in my department at JFK8 received verbal coaching from their manager about their rates. As part of the coaching, the manager told my colleague that disciplinary write-ups and terminations for low rates would be returning to the facility because Amazon needed its employees to work faster during peak season.

9. On October 7, 2020, the whiteboard located in my department, which Amazon uses to share important information about shifts, safety, and company policy, included the message “Productivity Feedback Start 10/7.” The whiteboard also included our rate goal, which is the rate at which we are expected to work to avoid write-ups and termination.

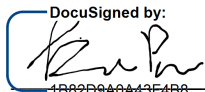
10. Also on October 7, 2020, the Process Assistant in my department approached me at my workstation and told me that Amazon would be providing productivity feedback and writing up workers for rate and TOT again. I asked him why they were going to be doing that when we were still in the middle of a pandemic and he told me that Prime Week was going to be a busy time and Amazon needed to be able to get products out to customers.

11. On October 9, 2020, I received another "COVID-19 Updates for JFK8" message in the Amazon A to Z app. The message said that "individuals" who work at JFK8 and who were last in the building on October 4, 2020 had tested positive for COVID-19.

12. On October 12, 2020, I received another "COVID-19 Updates for JFK8" message in the Amazon A to Z app. The message said that a JFK8 worker who was last in the building on October 9, 2020 had tested positive for COVID-19.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 14, 2020
Staten Island, NY

DocuSigned by:

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Derrick Palmer